

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**BEN ROBINSON and MAXINE
ROBINSON,**

Plaintiffs,

v.

FAMILY DOLLAR, INC et al.,

Defendants.

**CIVIL ACTION
NO. 14-03189**

ORDER

AND NOW, on this 27th day of May, 2015, upon consideration of Defendant Family Dollar Stores of Pennsylvania, Inc.'s Motion to Dismiss, (Doc. No. 15), Plaintiffs' response in opposition, (Doc. No. 24), and the parties' supplemental briefing, (Doc. Nos. 38, 41), it is

ORDERED that:

1. Counts I, II, IV, V, and VI as against Family Dollar Stores of Pennsylvania, Inc. are **DISMISSED without prejudice.**
2. Plaintiffs are granted leave to file a Second Amended Complaint on or before **June 8, 2015.**

BY THE COURT

/s/ Gerald J. Pappert
GERALD J. PAPPERT, J